

BEFORE THE FLORIDA JUDICIAL QUALIFICATIONS COMMISSION

INQUIRY CONCERNING A JUDGE, NO. 01-244
(Judge Charles W. Cope)

Case No. SC01-2670

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SPECIAL COUNSEL'S PREHEARING STATEMENT

Pursuant to the Order Scheduling Hearing and Prehearing Conference, the Special Counsel provides this Prehearing Statement:

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Witness To Be Called by the Special Counsel

1. Judge Charles W. Cope – All areas of formal charges.
2. Dr. Lisa V. Jeanes – Encounters with Judge Cope in Carmel, California on April 3-5, 2001.
3. Dr. Nina V. Jeanes – Encounters with Judge Cope in Carmel, California on April 3-5, 2001.
4. Officer Philip Nash – Encounter with Judge Cope in Carmel, California in early morning of April 4, 2001, and detention, interrogation, and arrest of Judge Cope the following morning.
5. Corporal John Nyunt – Detention, interrogation, and arrest of Judge Cope the morning of April 5, 2001.
6. Judge John F. Steinheider – Judge Cope's explanation for having intoxicated women in his hotel room.
7. Judge Susan Schaeffer – Judge Cope's disclosures and decision not to make disclosures regarding events in Carmel.

¹ Discovery (including the deposition of Judge Cope) is ongoing. The Special Counsel reserves the right to seek to add additional witnesses and exhibits, as more information is discovered.

8. Timothy Sweeney, 825 W. Linebaugh Ave., Tampa, Florida 33612 – Possible rebuttal expert testimony should Judge Cope argue that the Hearing Panel should consider any treatment he may have received for alcohol use or abuse.

Exhibits To Be Offered by the Special Counsel

1. Map of Carmel by the Sea, California
2. Schedule for Judicial Seminar
3. Photographs of Normandy Inn
4. Photographs of Il Fornaio Restaurant
5. Papers filed in this action plus discovery responses by Judge Cope
6. Booking photograph of Judge Cope
7. Videotape of Judge Cope's booking
8. Transcript of same
9. Audio tape of 911 call by Dr. Nina Jeanes
10. Transcript of same
11. Medical records, if any, relating to treatment of Judge Cope for alcoholism. (Possible rebuttal evidence should Judge Cope argue that the Hearing Panel should consider any treatment he may have received for alcohol use or abuse)
12. Videotape of refusal to take breathalyzer following 1996 D.U.I. arrest in Naples, Florida (For impeachment and/or rebuttal purposes)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by facsimile and regular U.S. mail to: **Louis Kwall, Esq.**, Kwall, Showers & Coleman, P.A., 133 N. St.

Harrison Ave., Clearwater, Florida 33755; **Robert W. Merkle, Jr., Esq.**, Co-Counsel for Respondent, 5510 W. La Salle Street, #300, Tampa, Florida 33607-1713; **Judge James R. Jorgenson**, Chair of the Judicial Qualifications Commission Hearing Panel, 3rd District Court of Appeal, 2001 S.W. 117th Ave., Miami, Florida 33175-1716; **John Beranek, Esq.**, Counsel to the Hearing Panel of the Judicial Qualifications Commission, P.O. Box 391, Tallahassee, Florida 32301; **Brooke S. Kennerly**, Executive Director of the Florida Judicial Qualifications Commission, 1110 Thomasville Road, Tallahassee, Florida 32303; **Thomas C. MacDonald, Jr., Esq.**, General Counsel to the Investigative Panel of the Judicial Qualifications Commission, 100 North Tampa Street, Suite 2100, Tampa, Florida 33602 this 20th day of February, 2002.

By:
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